

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

IN RE:

Wendell C. Buford
Charlene L Buford
SS#: : XXX-XX-5327 XXX-XX-0572
DEBTORS

CASE NO. 19-81592-CRJ-13

CHAPTER 13

TRUSTEE'S OBJECTION TO CONFIRMATION

COMES NOW, Michele T. Hatcher, Standing Chapter 13 Trustee, in the above captioned case and states the following:

1. The Debtors' Plan does not propose to pay the unsecured creditors the amount necessary pursuant to the current Means Test. Plan payments must increase to \$2,566 per month beginning September 2019 to pay the means test pool resulting from Line 45 of the Official Form 122C-2 and fixed payments adjusted accordingly.
2. The Plan does not comply with 11 U.S.C. § 1325. The Debtors propose to retain and pay for three (3) vehicles specifically, a 2016 Hyundai Santa Fe securing a debt owed in the amount of \$24,328.44 to Hyundai Motor Company, a 2016 Ford F150 securing a debt owed in the amount of \$29,982.92 to Ford Motor Credit and a 1997 Chevrolet Silverado securing a debt owed in the amount of \$1,810.29 to Titlemax. The Debtors are not proposing to pay the unsecured creditors in full and the Trustee alleges the additional vehicles are not necessary for an effective reorganization.
3. The Plan does not comply with § 1322(a)(3). The proposed Plan does not properly address the priority claim filed by the State of Alabama DHR in the amount of \$18,000 and designated as claim #25 by the Court's Claim Register.
4. The proposed Plan does not properly address the priority claim filed by the Department of the Treasury – Internal Revenue Service in the amount of \$11,152.58 and designated as claim #7 by the Court's Claim Register.

WHEREFORE, the Trustee prays that the Court deny confirmation of the Debtors' plan, and order the Debtors to file an amended plan within 14 days after this confirmation hearing. If the Debtors fail to file an amended plan within 14 days, the Trustee prays the Court enter an order dismissing this Chapter 13 case.

RESPECTFULLY SUBMITTED, this the 9th day of September 2019.

/s/ Michele T. Hatcher

MICHELE T. HATCHER, TRUSTEE
P.O. BOX 2388
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(256)350-0442

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of September 2019, I have served a copy of the foregoing on the parties listed below by depositing the same in the United States Mail, postage prepaid and properly addressed, or if the party being served is a registered participant in the CM/ECF System for the United States Bankruptcy Court for the Northern District of Alabama, service has been made by a "Notice of Electronic Filing" pursuant to FRBP 9036 in accordance with subparagraph II.B.4 of the Court's Administrative Procedures.

Wendell C. Buford
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BOND BOTES SYKSTUS TANNER & EZZELL
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225 PRATT AVE
HUNTSVILLE, AL 35801

/s/ Michele T. Hatcher
Michele T. Hatcher, Trustee